

## Message Text

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R 170028Z JUL 74

FM SECSTATE WASHDC

TO ALL DIPLOMATIC POSTS

CINCLANT

CINCPAC

XMT AMEMBASSY CARACAS

AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY NICOSIA

UNCLAS STATE 154144

CINCLANT AND CINCPAC FOR POLADS

FOLLOWING REPEAT CARACAS 6506 (DTG R/132042Z JUL74)

ACTION SECSTATE INFO USUN USIA 13 JUL 74

QTE

UNCLAS CARACAS 6506

FROM US DEL LOS

DEPT PLEASE PASS ALL DIPLOMATIC POSTS EXCEPT CARACAS

USIA FOR IPS AND IBS

EO 11652: NA

TAGS: PLOS OGEN

SUBJECT: LOS: WEEKLY UNCLASSIFIED SUMMARY REPORT, JULY 5-11, 1974

1. SUMMARY: PLENARY STATEMENTS CONTINUED THROUGH WEEK WITH  
ORGANIZATION COMMITTEE WORK PROCEEDING SIMULTANEOUSLY. DEBATE  
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STATEMENTS CONTINUED TO INDICATE GENERAL AGREEMENT ON 12 MILE

TERRITORIAL SEA, 200 MILE ECONOMIC ZONE. UNEP DIRECTOR MAURICE STRONG OUTLINED PROPOSALS ENVIRONMENTAL CONSIDERATIONS. AT WEEK'S END, AMB STEVENSON'S STATEMENT OF U.S. VIEWS (SENT ALL POSTS CARACAS 6363) HIGHLIGHTED AREAS OF AGREEMENT AND NEED TO ACCOMPLISH DRAFTING SPECIFIC TEXTS AT CARACAS. ON JULY 12, CONFERENCE DECIDED TO AMEND RULES OF PROCEDURE TO PERMIT LIBERATION MOVEMENTS RECOGNIZED BY OAU AND ARAB LEAGUE TO ATTEND AS OBSERVERS. END SUMMARY.

2. STEVENSON STATEMENT: IN ADDITION TO STATEMENT OF U.S. WILLINGNESS TO ACCEPT 12-MILE TERRITORIAL SEA AND 200 MILE ECONOMIC ZONE CONDITIONED UPON OVERALL ACCEPTABLE PACKAGE, INCLUDING REGIME WITHIN AND BEYOND ECONOMIC ZONE AND UNIMPEDED TRANSIT OF STRAITS, STEVENSON STATEMENT NOTED THAT NEED AT CONFERENCE WAS FOR POLITICAL WILL TO MAKE DECISIONS ON RELATIVELY SMALL NUMBER OF CRITICAL ISSUES. IF THESE DECISIONS MADE THEN RELATIVELY SMALL NUMBER OF TREATY ARTICLES WOULD BE REQUIRED TO IMPLEMENT THEM FOR TERRITORIAL SEA, STRAITS AND THE ECONOMIC ZONE. ALSO NOTED NEED FOR FIRST COMMITTEE TO CONCENTRATE ON PREPARATION OF AGREED ARTICLES ON SEABED REGIME WHICH REQUIRE ADDITIONAL ARTICLES. STEVENSON EMPHASIZED INSUFFICIENCY OF AGREEMENT ON PRINCIPLES WITHOUT SPECIFIC DRAFT TEXTS WHICH CONSTITUTE REQUISITE BALANCE OF RIGHTS AND DUTIES IN ALL MAJOR ASPECTS OVERALL TREATY PACKAGE. STEVENSON STATEMENT RECEIVING GENERALLY FAVORABLE REACTION U.S. PRESS AND CONGRESS.

3. PLENARY STATEMENTS: LARGE NUMBER OF STATES VOICED SUPPORT FOR 12 MILE TERRITORIAL SEA AND 200 MILE ECONOMIC ZONE AND EXPRESSED DIVERSE VIEWS ON COASTAL STATE JURISDICTION IN ZONE AS WELL AS OTHER MAJOR ISSUES FACING CONFERENCE. LANDLOCKED ADVOCATE INCLUSION IN TREATY OF PROVISIONS FOR ACCESS TO SEA AND SHARING OF BENEFITS FROM EXPLOITATION OF RESOURCES IN ECONOMIC ZONE OF NEIGHBORING COASTAL STATES. PRINCIPAL AREAS OF DIFFERENCE CONTINUE TO BE BALANCE OF RIGHTS AND DUTIES IN ECONOMIC ZONE WITH NUMBER OF STATES SUPPORTING FREEDOM OF NAVIGATION BUT NOT ENDORSING RIGHT OF ACCESS OF FOREIGN FISHING FLEETS TO TAKE PORTIONS OF ALLOWABLE CATCH NOT TAKEN BY COASTAL STATE, AND DIFFERENCE

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OF VIEW RE CONTROL OF COASTAL STATE OVER VESSEL-SOURCE POLLUTION AND SCIENTIFIC RESEARCH. SOME LDC STATEMENTS ON POLLUTION INDICATED TREND TOWARD LIMITING COASTAL STATE JURISDICTION TO ENFORCEMENT WITHIN ZONE OF INTERNATIONAL STANDARDS. STEVENSON STATEMENT MADE CLEAR U.S. ACCEPTANCE OF 200 MILE ECONOMIC ZONE AS BASIS OF NEGOTIATION DOES NOT INCLUDE ACCEPTANCE OF REQUIREMENT OF COASTAL STATE CONSENT FOR SCIENTIFIC

RESEARCH AND COASTAL STATE CONTROL OVER VESSEL SOURCE POLLUTION  
WITHIN ZONE.

4. UNIEP DIRECTOR STRONG OUTLINED EXTENSIVE FORMULATIONS ON ENVIRONMENTAL STANDARDS ESPECIALLY WITH RESPECT TO NATIONAL ENFORCEMENT OF LEGISLATION TO MEET STANDARDS AGREED UPON INTERNATIONALLY IN PROTECTING MARINE ENVIRONMENT. SAID CONFERENCE SHOULD ENSURE INTERNATIONAL COMMUNITY CAN PROTECT ITS INTEREST IN MARINE ENVIRONMENT AS A WHOLE THROUGH MINIMUM INTERNATIONAL STANDARDS.

5. COMMITTEE I (DEEP SEABEDS): COMMITTEE AGREED TO ORGANIZATION OF WORK FOR NEXT THREE WEEKS IN FIRST FORMAL SESSION JULY 10. GENERAL DEBATE WILL LAST FOR ONE WEEK TO BE FOLLOWED BY TWO WEEKS OF INFORMAL MEETINGS OF COMMITTEE AS A WHOLE TO BE CHAIRED BY CHRIS PINTO (FORMER CHAIRMAN OF SEABED COMMITTEE WORKING GROUP). TWO WEEKS OF INFORMAL MEETINGS WILL CONCENTRATE ON THIRD READING OF REGIME AND MACHINERY TEXTS.

A) THUS FAR, GENERAL DEBATE HAS INCLUDED STATEMENTS FROM GERMAN DEMOCRATIC REPUBLIC, SRI LANKA, CANADA, PERU, AUSTRALIA AND CHILE. ALL STATEMENTS HAVE EMPHASIZED THAT PRIORITY TASK OF C-1 THIS SUMMER SHOULD BE NEGOTIATION OF QUESTION OF WHO MAY EXPLOIT SEABED, ALTHOUGH MOST DELS HAVE ACKNOWLEDGED THAT DISCUSSION OF TERMS AND CONDITIONS UNDER WHICH EXPLOITATION WILL TAKE PLACE MUST ALSO BE CONSIDERED AT SOME STAGE IN COMMITTEES WORK.

B) PINTO (SRI LANKA) IN GENERAL STATEMENT SUPPORTED REGIME WHICH CREATES FAVORABLE INVESTMENT CLIMATE, COMPULSORY SETTLEMENT OF DISPUTES AND FORMULAS FOR MINIMIZATION OF PRICE FLUCTUATIONS. CANADA, AUSTRALIA, AND OTHERS INDICATED SUPPORT FOR PARALLEL LICENSING AND ENTERPRISE (DIRECT EXPLOITATION) SYSTEM WITH AUSTRALIA EMPHASIZING AUTHORITY OF REGIME TO PROMULGATE PRODUCTION CONTROLS.

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PERU REJECTED PARALLEL SYSTEM, INSISTING ON EXCLUSIVE ROLE FOR SEABED AUTHORITY.

6. COMMITTEE II (TERRITORIAL SEA, STRAITS, FISHERIES) COMMITTEE BEGAN WORK WITH CONSIDERATION OF NATURE AND CHARACTERISTICS OF TERRITORIAL SEA WITH DRAFTS INTRODUCED INTER ALIA BY INDIA AND UK. UK DRAFT ALSO INCLUDES STRAITS PROPOSALS PROFFERED AS POSSIBLE "MIDDLE GROUND". UK STATED ARTICLE INTENDED TO CLARIFY DEFINITION OF INNOCENT PASSAGE AND REGULATORY POWERS OF COASTAL STATES IN TERRITORIAL SEA, AS WELL AS HAVE "TRANSIT PASSAGE" REGIME FOR STRAITS USED FOR INTERNATIONAL NAVIGATION. TRANSIT PASSAGE WAS PROPOSED FOR STRAITS LINKING TWO AREAS OF HIGH SEAS, AND NON-SUSPENDABLE INNOCENT PASSAGE WOULD APPLY TO STRAITS CONNECTING HIGH SEAS AND TERRITORIAL SEA OF FOREIGN STATE. SPAIN INTRODUCED DRAFT ARTICLE EXTENDING SOVEREIGNTY OF COASTAL STATE TO STRAITS

FORMING PART OF THE TERRITORIAL SEAS. PROPOSED ORGANIZATION OF WORK WILL INCLUDE FORMAL MORNING MEETINGS TO DISCUSS AGENDA ITEMS, AFTERNOON DRAFTING SESSIONS OF INFORMAL GROUPS REPRESENTING VARIOUS VIEW ON ITEM UNDER DISCUSSION.

7. COMMITTEE III (POLLUTION AND SCIENTIFIC RESEARCH): COMMITTEE WILL MEET NEXT WEEK FOR GENERAL DEBATE. FOLLOWING WEEK FORMAL MEETINGS WILL BE LIMITED TO ONE DAY WEEK WITH REMAINDER DEVOTED TO SEPARATE INFORMAL WORKING SESSIONS ON POLLUTION AND RESEARCH. POLLUTION SESSIONS WILL BE CHAIRED BY VALLARTA (MEXICO) (CHAIRMAN OF POLLUTION WG IN SB COMMITTEE) WITH COMMITTEE CHAIRMAN YANKOV (BULGARIA) CHAIRING RESEARCH SESSIONS. INFORMAL AD HOC WORKING GROUPS ON SPECIFIC ISSUES MAY ALSO BE ESTABLISHED.

8. OBSERVERS: SENEGAL FORMALLY REQUESTED CONFERENCE TO INVITE BY CONSENSUS LIBERATION MOVEMENTS RECOGNIZED BY REGIONAL ORGANIZATIONS TO PARTICIPATE IN CONFERENCE AS OBSERVERS. REQUEST FOLLOWS GENEVA LAW OF WAR FORMULATION RE LIBERATION MOVEMENTS RECOGNIZED BY REGIONAL ORGANIZATIONS. ON QUESTION OF COMPETENCE OF THE CONFERENCE TO MODIFY THE INVITATION FORMULA CONTAINED IN OPERATIVE GA RESOLUTION, CONFERENCE PRESIDENT RULED THAT SIMPLE MAJORITY VOTE WAS SUFFICIENT AND QUESTION OF COMPETENCE TO EXTEND INVITATION TO LIBERATION MOVEMENTS ADOPTED BY VOTE OF 88 FOR 2 AGAINST (ISRAEL, SOUTH AFRICA) AND 35 ABSENTIONS INCLUDING US AND MOST WESTERN EUROPEAN COUNTRIES AND NUMBER OF LATIN AMERICANS. STEVENSON STATED CONFERENCE ACTION DID NOT PREJUDICE POSITIONS

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OF PARTICIPANTS ON ISSUE OF CONFERENCE COMPETENCE. ON JULY 12, CONFERENCE DECIDED BY CONSENSUS TO AMEND RULES OF PROCEDURES TO PERMIT LIBERATION MOVEMENTS RECOGNIZED BY OAU AND ARAB LEAGUE TO ATTEND AS OBSERVERS. U.S. STATEMENT AFTER DECISION AS FOLLOWS: "IN VIEW OF THE CONTINUING PARTICIPATION OF THE UNITED STATES IN THE SEARCH OF PERMANENT AND LASTING PEACE IN THE MIDDLE EAST, THE UNITED STATES DELEGATION WANTS TO DISASSOCIATE ITSELF FROM THE DECISION TO ISSUE THIS INVITATION. OUR DELEGATION ALSO WISHES TO RECORD ITS REGRET THAT THIS POLITICAL ISSUE HAS BEEN RAISED IN THIS CONFERENCE."

9. UPCOMING: PLENARY DEBATE EXPECTED TO CONCLUDE MONDAY OR TUESDAY WITH CONFERENCE MOVING INTO FOURTH WEEK AND CONCENTRATION SUBSTANTIVE ISSUES.

STEVENSON UNQTE KISSINGER

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, MEETINGS, MEETING REPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 JUL 1974  
**Decaption Date:** 01 JAN 1960  
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**Review Authority:** izenbei0  
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